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Filing date: **01/03/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

| | |
|------------------------|--|
| Proceeding | 92058287 |
| Party | Defendant QuickPayNet Ltd. dba Simplicity Health Plans |
| Correspondence Address | QUICKPAYNET LTD 20600 CHAGRIN BLVD , SUITE 450 SHAKER HEIGHTS, OH 44122 UNITED STATES |
| Submission | Answer |
| Filer's Name | David W. Grillo |
| Filer's e-mail | dgrillo@grilloip.com |
| Signature | /David W. Grillo/ |
| Date | 01/03/2014 |
| Attachments | HUMMERT101US-Answer.pdf(99521 bytes) |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Registration No. 3,965,689
For the Mark: SIMPLICITY HEALTH PLANS
Registration Date: May 24, 2011

| | | |
|----------------------------------|---|---------------------------|
| Echo Health, Inc. and Simplicity |) | |
| Payment Alliance, Inc. , |) | |
| |) | |
| Petitioners, |) | Cancellation No. 92058287 |
| |) | |
| v. |) | |
| |) | |
| QuickPayNet, Ltd. DBA |) | |
| Simplicity Health Plans, |) | |
| |) | |
| Registrant. |) | |

ANSWER TO PETITION TO CANCEL

Registrant, QuickPayNet, Ltd. DBA Simplicity Health Plans (“Registrant”), by and through counsel, hereby submits its answers to the above-identified Petition to Cancel filed by Echo Health, Inc. and Simplicity Payment Alliance, Inc. (“Petitioners”) as follows:

Except as expressly admitted herein, Registrant denies the allegations set forth in the Petition to Cancel.

1. Registrant admits the allegations as stated in paragraph 1.
2. Registrant admits the allegations as stated in paragraph 2.
3. Registrant admits the allegations as stated in paragraph 3.
4. Registrant admits the allegations as stated in paragraph 4.
5. Registrant is without sufficient knowledge to admit or deny the allegations in paragraph 5, and therefore denies the same.

6. Registrant is without sufficient knowledge to admit or deny the allegations in paragraph 6, and therefor denies the same.

7. Registrant admits the allegations as stated in paragraph 7.

8. Registrant admits the allegations as stated in paragraph 8.

9. Registrant admits the allegations as stated in paragraph 9.

10. Registrant admits the allegations as stated in paragraph 10.

11. Registrant denies the allegations as stated in paragraph 11.

12. Registrant denies the allegations as stated in paragraph 12.

13. Registrant denies the allegations as stated in paragraph 13.

14. Registrant denies the allegations as stated in paragraph 14.

AFFIRMATIVE DEFENSES

1. Petitioners are barred from seeking cancellation of Registrant's mark under the doctrine of laches.

2. Petitioners have acquiesced in Registrant's adoption, registration, and use of the mark that is subject to this petition to cancel.

3. Petitioners are barred from seeking cancellation of Registrant's mark under the doctrine of estoppel.

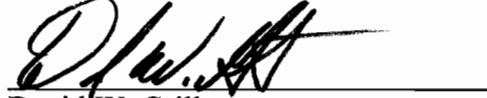
4. Petitioners have waived their rights, if any.

5. Registrant reserves the right to plead other available defenses as may become apparent as discovery progresses.

WHEREFORE, Registrant requests dismissal of the Petition to Cancel with prejudice.

Respectfully submitted,

By



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Date

1/3/2014

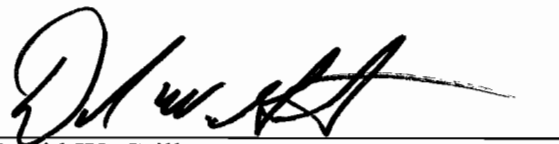
Attorney for Registrant

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Answer to Petition to Cancel was filed electronically with the United States Patent and Trademark Office, Trademark Trial and Appeal Board on January 3, 2014, and that a true and complete copy of the foregoing Answer to Petition to Cancel has been served by first class mail, postage prepaid, on January 3, 2014, upon the following:

Keith A. Ashums
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Attorney for the Petitioners



David W. Grillo
Attorney for the Registrant